

Message Text

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C O N F I D E N T I A L SECTION 01 OF 04 OECD PARIS 09585

FOR JOSEPH J. SAUNDERS, CHIEF, PUBLIC COUNSEL SECTION,
ANTITRUST DIVISION, DEPARTMENT OF JUSTICE (CODE 187
X2515), FROM JOSEPH A. MULLIN

E.O. 11652: GDS

TAGS: ENRG, OECD

SUBJECT: IEA: MEETINGS IN PARIS ON INDUSTRY AID TO
INTERNATIONAL ENERGY PROGRAM

FOLLOWING IS TEXT OF REPORT ON IAB MEETING PREPARED BY
JUSTICE DEPARTMENT REP MULLIN. IT IS TRANSMITTED AT
HIS REQUEST.

BEGIN TEXT

1. TO DATE, I HAVE HAD MEETINGS WITH WALLACE HOPKINS,
DEPUTY EXECUTIVE DIRECTOR OF IEA; PETER HUGGINS,
TEMPORARY DIRECTOR OF THE SECRETARIAT'S OFFICE OF
INFORMATION AND EMERGENCY SYSTEMS OPERATIONS AND HEAD
OF ITS DATA AND INFORMATION DIVISION; AND JAMES SHINN,
ENERGY ADVISER TO THE U.S. DELEGATION. I ALSO
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ATTENDED THE ORGANIZATIONAL MEETING OF THE INDUSTRY

ADVISORY BOARD (IAB) ON EMERGENCY OIL SHARING AND RELATED QUESTIONS. WHILE A MORE DETAILED REPORT WILL BE MADE LATER, FOLLOWING IS A SUMMARY OF HIGHLIGHTS.

2. IEA OFFICIALS SOMEWHAT VAGUE ON PACE OF USE OF INDUSTRY NOW THAT VOLUNTARY AGREEMENT IS ESTABLISHED. EMERGENCY PLANS WILL BE REFINED SLOWLY OR QUICKLY DEPENDING ON LIKELIHOOD OF EMERGENCY. IT APPEARS THEY ENVISION INDUSTRY IN STRICTLY ADVISORY ROLE AND TO EXECUTE EMERGENCY OPERATIONS UNDER CLOSE IEA SUPERVISION. AS PRESENTLY ENVISIONED, IN ROUGH FORM, UPON AN EMERGENCY BEING TRIGGERED EMERGENCY-TYPE DATA WOULD BEGIN TO FLOW FROM ABOUT 32 REPORTING COMPANIES TO IEA FOR APPRAISAL. COMPANIES WOULD CONTINUE INTERNATIONAL TRADE TO TRADITIONAL CUSTOMERS, MODIFIED BY APPROPRIATE ACROSS-THE-BOARD CUTBACKS. ON COMPLAINT FROM INDIVIDUAL COUNTRY THAT IT WASN'T GETTING ITS FAIR SHARE AS PER THE INTERNATIONAL AGREEMENT, IEA WOULD STEP IN TO DIRECT A COMPANY OR COMPANIES TO MODIFY OPERATIONS TO DIRECT AN APPROPRIATE ALLOCATION TO THAT COUNTRY.

3. AT THE MOMENT IEA IS LESS CONCERNED WITH ELABORATING DETAILS OF THE PLAN THAN IN DEVELOPING CLARIFYING MEASUREMENTS OF THE TRIGGER, ANSWERING TECHNICAL QUESTIONS WITH RESPECT TO PARTICULAR FIELDS--AVIATION AND MARINE BUNKERS, STOCKS AND NAPHTHA--AND REFINING QUESTIONNAIRES TO DEVELOP A DATA FLOW FROM INDUSTRY AND NATIONAL GOVERNMENTS ON PRODUCTION, IMPORTS, EXPORTS OF CRUDE OIL DELIVERIES INTO INLAND CONSUMPTION, INVENTORY LEVELS AND CHANGES, ON AN INTEGRATED BASIS IN TERMS OF CRUDE OIL AND CRUDE OIL EQUIVALENTS. IEA IS MOST CONCERNED WITH THE LATTER, HAVING INITIATED A 3-6 MONTH TEST RUN TO TEST THE ADEQUACY OF ITS DATA FLOW SYSTEM AND ANALYTICAL CAPABILITIES. THIS HISTORICAL DATA AND AGGREGATED FORWARD PROJECTIONS WILL BE USED FOR A TRIAL RUN IN A SIMULATED EMERGENCY.

4. THE TEST RUN HAS BEEN HELD UP, HOWEVER, BY THE NON-COMPLIANCE OF THE U.S. OIL COMPANIES, WHO WOULD NOT ANSWER THE QUESTIONNAIRES UNTIL THE VOLUNTARY AGREEMENT

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GAVE THEM PROTECTION. YOU SHOULD BY NOW HAVE RECEIVED

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C O N F I D E N T I A L SECTION 02 OF 04 OECD PARIS 09585

THE REQUEST FOR ATTORNEY GENERAL APPROVAL UNDER SECTION 5(B)(1) OF THE AGREEMENT OF SUBMITTAL OF THIS CONFIDENTIAL AND PROPRIETARY INFORMATION. THE COMPANIES THEMSELVES INSIST THAT IT BE AGGREGATED BEFORE DISCLOSURES. ONCE THIS APPROVAL IS GIVEN BY FEA AND JUSTICE, DATA CAN FLOW AND THE TEST RUN PROCEED, ONLY A LITTLE BEHIND SCHEDULE.

5. IN DISCUSSIONS OF THE ISSUE OF TRANSCRIPTS AT VOLUNTARY AGREEMENT MEETINGS HOPKINS NOTED CLEARWATER'S DROPPING OF THE MATTER FOR THE PRESENT. HE POINTED OUT THE PROCEDURE WOULD BE CUMBERSOME AND EXPENSIVE. FOR PARIS MEETINGS, STENOGRAPHER IN ENGLISH NOT AVAILABLE AND WOULD HAVE TO BE IMPORTED FROM ENGLAND. BUT MOST CONCERN IS WITH THE SENSITIVITY OF THE ISSUE--RESENTMENT AT FURTHER INTRUSION OF U.S. INTERNAL REQUIREMENTS INTO AN INTERNATIONAL OPERATION. THIS, AS SHOWN BELOW, WAS BORNE OUT IN THE IAB MEETING'S DISCUSSION. BUT I THINK
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IF WE RENEW THE ISSUE AND PUSH IT HARD, IT CAN BE ADOPTED AFTER MUCH INITIAL RESISTANCE AND GRUMBLING. U.S. OIL COMPANIES WOULD PROBABLY READILY ACCEPT THE IDEA, THEY ALREADY EVIDENCING AN ATTITUDE OF BENDING OVER BACKWARDS TO AVOID ANTITRUST DIFFICULTIES. INDEED, FEA THINKS THEY ARE BEHIND THE MOVE TO PUSH TRANSCRIPTS.

6. AT THE IAB MEETING MUCH RESENTMENT WAS EXPRESSED OPENLY BY DR. ROMIG OF AUSTRIAN COMPANY (SEE FOLLOWING LIST OF PARTICIPANTS) AT EXPOSITION OF REQUIREMENTS IMPOSED ON IAB BY THE VOLUNTARY AGREEMENT UNDER AGENDA ITEM 4. THERE WAS ALSO VEILED RESENTMENT EXPRESSED BY IEA'S VAN RHIJN AND LANTZKE. ROMIG STATED THAT U.S. WASN'T LIVING UP TO ITS TREATY OBLIGATIONS HERE. INSTEAD OF MAKING IEA CONFORM TO ITS DOMESTIC REQUIREMENTS, IT SHOULD ABOLISH ITS ANTITRUST LAWS SO FAR AS IEA ACTIVITIES WERE CONCERNED* BUT THE BASIS FOR RESENTMENT IS THAT IT ALL REPRESENTS A POLITICAL INTRUSION BY THE U.S., NOT A MERE DOMESTIC LEGAL REQUIREMENT. NOTE, FOR EXAMPLE, THE PERMISSION FOR PRESENCE AT MEETINGS OF FEA AND STATE PERSONNEL-- POLITICAL TYPES-- AS WELL AS A LEGAL OFFICER. IT WAS DECIDED, HOWEVER, THAT IEA CONSIDERS VOLUNTARY AGREEMENT AND ITS REQUIREMENTS IN THE LATTER CATEGORY, A NECESSARY FACT OF LIFE FOR IT TO TAKE INTO ACCOUNT. IT WOULD HAVE TO DO THE SAME FOR DOMESTIC REQUIREMENTS OF ANY MEMBER COUNTRY; INDEED A SIMILAR SITUATION MAY NOW BE DEVELOPING IN JAPAN. THUS, SINCE THE BASIC PRINCIPLE HAS NOW BEEN ESTABLISHED, I THINK A TRANSCRIPT REQUIREMENT WOULD BE ACCEPTED, AFTER OUTRAGE IS FORMALLY EXPRESSED IN SOME QUARTERS, AS JUST AN ADDITIONAL TROUBLESOME U.S. NECESSITY.

7. LITTLE WAS SAID AT THE MEETING AS TO THE EXTENT OF "NOTES OR MINUTES" TO BE REQUIRED' ONLY RESENTMENT THAT THEY WERE REQUIRED AT ALL AND U.S. OFFICIALS WERE TO TAKE THEM. TEXACO ASKED IF THEY WOULD BE PUBLIC DOCUMENTS IN THE U.S. FEA EVADED, REFERRING TO PENDING LEGISLATION WHICH WOULD GIVE ADDED PROTECTION TO CONFIDENTIALITY. IT APPEARS THAT IAB WOULD ALSO KEEP AN OFFICIAL RECORD OF ITS MEETINGS. MOBIL WAS APPOINTED TO CONFIDENTIAL

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DO THIS AND DISSEMINATE IT TO ALL COMPANIES, IAB AND REPORTING COMPANIES, AS PART OF AN EFFORT TO KEEP EVERYONE INFORMED ON WHAT'S GOING ON. IN THIS CONNECTION THERE WAS A DELIBERATE EFFORT BY U.S.

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C O N F I D E N T I A L SECTION 03 OF 04 OECD PARIS 09585

COMPANIES TO KEEP EVERYTHING (EXCEPT AGGREGATED DATA)
AS OPEN AS POSSIBLE. ALL REPORTING COMPANIES ON
REQUEST WOULD GET COPIES OF LITERATURE SO FAR GENERATED
BY THE OLD OIL INDUSTRY WORKING PARTY; EACH WOULD GET
PROCEEDINGS OF ALL MEETINGS, AND COULD CONTINUE TO
OBSERVE IAB MEETINGS; IF DESIRED' EACH COULD JOIN A
SUBGROUP OF ITS CHOICE AMONG THE THREE WORKING SUBGROUPS
OF COMPANY TECHNICAL EXPERTS FORMED AT THE MEETING.

8. AT THE MEETING PATRICK GILLAM OF BP WAS ELECTED
CHAIRMAN OF IAB. NEXT MEETING IS SET FOR LONDON AT BP
ON MAY 7-8, WITH TWO-DAY AGENDA. THOUGH NOTHING WAS
SAID EXPLICITLY, IT SEEMS APPARENT THAT MOST FUTURE
EUROPEAN MEETINGS OF IAB WOULD BE THERE; IT WAS
SPECIFIED THAT IN A ROTATION SYSTEM A FAIR PROPORTION OF
FUTURE MEETINGS WOULD BE SCHEDULED FOR NEW YORK.

9. THREE SUBGROUPS WERE TO BE ORGANIZED, EACH TO DEAL

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WITH A LIST OF SUBJECTS ON WHICH IEA NEEDS ADVICE, EACH TO WORK DIRECTLY IN COORDINATION WITH AN APPROPRIATE SUBGROUP OF IEA'S STANDING GROUP ON EMERGENCY QUESTIONS (SEQ) BUT TO REPORT BACK TO IAB FOR THE LATTER TO REPORT DIRECTLY TO SEQ. EACH GROUP WOULD CONSIST OF TECHNICAL EXPERTS FROM THE COMPANY MEMBERS. EACH WOULD BE CHAIRED BY AN IAB MEMBER COMPANY, THOUGH, AS NOTED ABOVE, NON-MEMBER COMPANIES CAN PARTICIPATE.

10. ASSIGNMENTS OF IAB MEMBER COMPANIES TO GROUPS WAS MADE; TEMPORARY CHAIRMEN, WHO WOULD CHOOSE THE VENUE FOR INITIAL MEETINGS, WERE PICKED; AFTER ADVICE FROM IEA THEY WOULD PREPARE AN AGENDA FOR NOTICE PURPOSES; WHILE IEA WOULD FORMALLY REQUEST MEMBERS TO JOIN AND U.S. CLEARANCES WOULD BE OBTAINED. THUS YOU SHOULD SOON RECEIVE REQUESTS FOR ATTORNEY GENERAL APPROVAL OF ACCEPTANCE OF MEMBERSHIP IN THESE SUBGROUPS BY THE U.S. COMPANIES: INITIALLY THE IAB MEMBER COMPANIES ALREADY ASSIGNED, AND LATER ANY U.S. REPORTING COMPANIES WHO MAY WISH TO JOIN ONE OF THE WORKING SUBGROUPS.

11. GILLAM SPOKE HOPEFULLY OF ORGANIZING THE SUBGROUPS IN A WEEK TO TWO WEEKS. THEY HOPE TO COORDINATE WITH SEQ SUBGROUPS WHO ARE SCHEDULED FOR MEETINGS AS FOLLOWS: STOCKS, APRIL 21 IN OTTAWA; NAPHTHA, APRIL 30; AND ALLOCATIONS, MAY 6 IN THE HAGUE.

12. AT THIS MEETING, WEST AND BELL OF FEA AND I EACH TOOK DETAILED NOTES. BELL LATER IS TO MAKE UP THE OFFICIAL MINUTES, USING THE THREE SETS OF NOTES. AS PER INSTRUCTIONS I HAVE TAKEN NO PART IN APPROVING OR PREPARING THEM, BEYOND MAKING A XEROX OF MY NOTES AVAILABLE TO BELL. YOU WILL GET A COPY SHORTLY, WHICH WILL PROVIDE ADDITIONAL NARRATIVE DETAILS OF THE MEETING. PERHAPS YOU SHOULD CONTACT ANDERSON OR LERNER OF FTC TO MAKE IT AVAILABLE FOR THEIR PERUSAL.

13. LIST OF PARTICIPANTS

MEMBER COMPANIES

BRITISH PETROLEUM - PATRICK J. GILLAM

BRITISH PETROLEUM - A.T. GREGORY

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BRITISH PETROLEUM - J.D. ROGERS

ENI ROME - - N. MONGELLI
EXXON - - - R. STANLEY KLEPPE
- SR. V.P. EXXON INTERNATIONAL-
- - AL DIV.
EXXON - - - G.F. EHLIG
GULF OIL CORP. - - J.N. MCGARVEY
- - GOTCO V.P.
GULF OIL CORP. - - W.H. BLACKLEDGE
- . . GOTCO EX. V.P.
GULF OIL CORP. - E.J. SANTAMARINA
MANAGER PERFORMANCE ANALY-
-- - SIS
MOBIL OIL CORP. - WALTER MARSHALL
-- MANAGER SUPPLY DISTRIBUTION
MOBIL OIL CORP. -. - RICHARD H. ZAHM
-- SENIOR COUNSEL N.Y.
OEMV - - F. ROMIG
PETROFINA - C. MITSCHK
PETROLEUM ASSOCIATION OF - YUJI IDEMITSU
JAPAN
PETROLEUM PRODUCERS' - MASAO ARISAKA
ASSOCIATION OF JAPAN
SHELL INTERNATIONAL - GRANT BUCK
GENERAL MANAGER

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SHELL INTERNATIONAL - M.W. ALLEN
--. . SUPPLY FORECASTING
STANDARD OIL CO. OF - W.M.J. CASSIDY
CALIFORNIA MANAGER EUROPEAN SUPPLY &
- DISTR.
STANDARD OIL (INDIANA) - A.O. MUNK
STANDARD OIL (INDIANA) - W.E. MCGINNITY
STATOIL - - ERIK KASTELLET
.
STATOIL - JON RUD
HEAD OF RESEARCH & PLANNING,
- -.- MARKETING
TEXACO EUROPE - L. ANTONIOTTI
GENERAL MANAGER
TEXACO INC. .- - CECIL J. OLMSTEAD
UNION OIL CO. OF - CLYDE L. CALDWELL
CALIFORNIA VICE PRESIDENT
UNION OIL CO. OF - L.J. BALLESTERO
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CALIFORNIA -. GENERAL REPRESENTATIVE
VEBA - D. VON AUWERS
.- .- HEAD OF ENERGY POLICY DEPT.
OBSERVERS
ATLANTIC RICHFIELD CO. - E.A. FREEBURG
- --- MANAGER LONDON
AXEL JOHNSON & CO. HAB - A.J. MENDES
DIRECTOR
CONTINENTAL OIL COMPANY - ALFRED J. BOULOS
-- -- COUNSEL
HISPANOIL - L. GUTIERREZ
. - . PLANNING MANAGER
HISPANOIL - M. QUILEZ
. NEGOTIATION MANAGER
IDEMITSU KOSAN CO. LTD. - A. WAGAI
. -- - ASSISTANT GENERAL MANAGER
.-. LONDON OFFICE
MURPHY OIL CORP - BOBBY J. EDMONDS
..- . - TAX MANAGER
OCCIDENTAL INTERNATIONAL - C.F. DE LANOY MEIJER
OIL INC. LEGAL COUNSEL
.....

U.S. TREASURY DEPARTMENT - DOUGLAS MCCULLOUGH

--- DIRECTOR OFFICE OF ENERGY

U.S. FEDERAL ENERGY ADMIN- - JAMES A. WEST

ISTRATION ASSOCIATE ASSISTANT

-- ADMINISTRATOR

U.S. DEPARTMENT OF - JOSEPH A. MULLIN

JUSTICE

FEDERAL ENERGY - JOSEPH C. BELL

ADMINISTRATION U.S. ASSISTANT GENERAL COUNSEL

NATURAL RESOURCES & - A. HAYASHI

ENERGY AGENCY - JAPAN

CHAIRMAN OF THE STANDING - A.A.T. VAN RHIJN

GROUP ON EMERGENCY

QUESTIONS

SECRETARIAT

EXECUTIVE DIRECTOR - DR. U. LANTZKE

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DEPUTY EXECUTIVE - MR. WALLACE J. HOPKINS

DIRECTOR

HEAD OF DATA & - MR. P. HUGGINS

INFORMATION DIV.

DATA & INFORMATION DIVISION - MR. R. GRANZER

EMERGENCY PLANNING DIVISION - MR. P. HUFFELMAN

ASSISTANT DEPUTY EXECUTIVE - MR. G.D.C. BEST

DIRECTOR

DATA & INFORMATION DIVISION - MISS W. SIMPSON

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